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[Additional Counsel Appear on Signature Page]

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

ANASTASIYA KISIL, Mother and
 Natural Guardian of "JOHN DOE," an
 Infant, Individually and on Behalf of
 Others Similarly Situated,

Plaintiff,

v.

ILLUMINATE EDUCATION, INC.,
 d/b/a PUPIL PATH,

Defendant.

Case No. 8:22-cv-01164-JVS-ADSx
Class Action

**PLAINTIFFS' STIPULATION TO
 CHANGE THE CASE CAPTION
 AND CONSOLIDATE RULE 26(F)
 SCHEDULING CONFERENCES**

LUCAS CRANOR, Individually and on
 Behalf of All Others Similarly Situated,

Plaintiff,

v.

ILLUMINATE EDUCATION, INC.,

Case No. 8:22-cv-01404-JVS-ADSx

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Defendant.
SARAH CHUNG, Individually and on Behalf of All Others Similarly Situated, Plaintiff, v. ILLUMINATE EDUCATION, INC., Defendant.

Case No. 8:22-cv-01547-JWH-DFM

**TO THE ABOVE-ENTITLED COURT AND TO ALL PARTIES AND THEIR
COUNSEL OF RECORD:**

The parties, Plaintiff Anastasiya Kisil (“Plaintiff Kisil”) in the matter of *Anastasiya Kisil v. Illuminate Education, Inc. d/b/a Pupil Path*, Case No. 8:22-cv-1164-JVS-ADS, Plaintiff Lucas Cranor (“Plaintiff Cranor”) in the matter of *Lucas Cranor v. Illuminate Education, Inc.*, Case No. 8:22-cv-1404-JVS-ADS, and Plaintiff Sarah Chung (“Plaintiff Chung”) in the matter of *Sarah Chung v. Illuminate Education, Inc.*, Case No. 8:22-cv-01547-JWH-DFM (together, “Plaintiffs”), and Defendant Illuminate Education, Inc., (“Defendant” or “Illuminate”) by and through their attorneys, hereby stipulate as follows:

WHEREAS, on June 14, 2022, Plaintiff Kisil filed her action in this district, titled *Anastasiya Kisil v. Illuminate Education, Inc. d/b/a Pupil Path*, Case No. 8:22-cv-1164-JVS-ADS (the “*Kisil* action”).

WHEREAS, on July 28, 2022, Plaintiff Cranor filed his action in this district, titled *Lucas Cranor v. Illuminate Education, Inc.*, Case No. 8:22-cv-1404-JVS-ADS (the “*Cranor* action”).

WHEREAS, on August 1, 2022, the *Cranor* matter was ordered related to the *Kisil* matter.

WHEREAS, on August 23, 2022, Plaintiff Chung’s action, *Sarah Chung v. Illuminate Education, Inc.*, Case No. 8:22-cv-01547-JWH-DFM (the “*Chung* action”) was transferred from the Eastern District of New York to this District.

WHEREAS, on September 1, 2022, Plaintiffs moved (with Defendant’s consent) to consolidate the above related actions action pursuant to Rule 42(a) because each action asserts substantially the same claims and raise substantially the same questions of fact and law regarding liability and damages. ECF No. 44.

WHEREAS, on September 2, 2022, Plaintiffs stipulated that Laurence D. King of Kaplan Fox & Kilsheimer LLP (“Kaplan Fox”) and Melissa R. Emert of Kantrowitz Goldhamer & Graifman, P.C. (“KGG”) should be appointed co-lead

1 interim class counsel and that Spencer Sheehan of Sheehan and Associates, P.C.
2 (“Sheehan and Associates”) and Philip M. Hines of Held & Hines LLP (“Held &
3 Hines”) be appointed to an Executive Committee on behalf of Plaintiffs pursuant Fed.
4 R. Civ. P. 23(g)(3). ECF No. 45.

5 WHEREAS, on September 7, 2022, the Court issued an Order granting
6 Plaintiffs’ Stipulation to appoint Interim Co-Lead Class Counsel and an Executive
7 Committee. ECF No. 46.

8 WHEREAS, on September 16, 2022, the Parties filed a stipulation to continue
9 the Rule 26(f) scheduling conference in the *Kisil* Action and related deadlines
10 pending the consolidation of the related cases. ECF No. 52.

11 WHEREAS, on September 19, 2022, the Court issued an order granting the
12 stipulation to continue the Rule 26(f) scheduling conference and related deadlines
13 pending consolidation of the related cases. The Court’s order set a Rule 26(f)
14 scheduling conference in the *Kisil* Action for December 19, 2022, at 10:30 a.m., and
15 associated deadlines calendared therefrom. ECF No. 53.

16 WHEREAS, on September 22, 2022, the Court issued an Order consolidating
17 the related cases. ECF No. 54.

18 WHEREAS, on September 26, 2022, the Court issued an Order setting a Rule
19 26(f) scheduling conference in the *Chung* Action for November 7, 2022 at 10:30 a.m.

20 WHEREAS, on October 4, 2022, the Court issued an Order setting a Rule 26(f)
21 scheduling conference in the *Cranor* Action for November 7, 2022 at 10:30 a.m.

22 WHEREAS, in order to further streamline the consolidated litigation in an
23 efficient manner, the Parties have conferred about the case schedule and case
24 management issues and jointly request, subject to Court approval, that (1): the Court
25 remove the Rule 26(f) scheduling conference and associated deadlines from the
26 Court’s calendar in the *Cranor* and *Chung* Actions and only proceed with the Rule
27 26(f) scheduling conference and associated deadlines on December 19, 2022 at 10:30
28 a.m. for the now consolidated *Kisil*, *Chung*, and *Cranor* cases; (2) the Parties and the

1 Court shall jointly refer to the now consolidated *Kisil*, *Chung*, and *Cranor* cases as
 2 “*In re: Illuminate Education Data Security Incident Litigation*”; (3) that the *In re:*
 3 *Illuminate Education Data Security Incident Litigation* case title should be used on
 4 all captions filed in the lead case number 8:22-cv-1404-JVS-ADSx; (4) the Parties
 5 also stipulate that any document filed in the *In re: Illuminate Education Data Security*
 6 *Incident Litigation* shall be deemed to apply to all of the consolidated actions unless
 7 otherwise indicated, and that further, duplicative filings on the *Cranor* and *Chung*
 8 dockets are no longer necessary; and (5) that all counsel previously admitted *pro hac*
 9 *vice* in any of the now consolidated cases shall be deemed admitted *pro hac vice* for
 10 the consolidated *In re: Illuminate Education Data Security Incident Litigation*.

11 ACCORDINGLY, the undersigned Parties stipulate, and request that the Court
 12 order, as follows:

- 13 1. The consolidated *Kisil*, *Cranor*, and *Chung* Actions shall now be
 14 captioned “*In re: Illuminate Education Data Security Incident*
 15 *Litigation*.”
- 16 2. All future filings in *In re: Illuminate Education Data Security Incident*
 17 *Litigation* shall be filed in the lead case number 8:22-cv-1404-JVS-
 18 ADSx and shall be deemed to apply to all of the consolidated actions
 19 unless otherwise indicated.
- 20 3. For any filing made in *In re: Illuminate Education Data Security*
 21 *Incident Litigation* in the lead case number 8:22-cv-1404-JVS-ADSx
 22 that applies to all of the consolidated actions, no further duplicative
 23 filings need to be filed on the dockets in the *Cranor*, and *Chung* Actions.
- 24 4. Due to the pending Rule 26(f) scheduling conference set in the
 25 consolidated litigation on December 19, 2022, at 10:30 a.m., the Rule
 26 26(f) scheduling conferences set in the *Cranor* and *Chung* Actions for
 27 November 7, 2022 at 10:30 a.m. should be vacated along with all related
 28 deadlines, including the deadline to file a Rule 26(f) report and the

1 deadline to serve a discovery plan and initial disclosures. The dates to
2 be vacated include the following:

3 a. Deadlines in *Cranor*:

4 i. Rule 26(f) report (October 28, 2022).

5 ii. Case Management Conference (November 7, 2022).

6 iii. Discovery plan and initial disclosures (November 21, 2022).

7 b. Deadlines in *Chung*:

8 i. Rule 26(f) report (October 31, 2022).

9 ii. Case Management Conference (November 7, 2022).

10 iii. Discovery plan and initial disclosures (November 21, 2022).

11 5. Accordingly, the Rule 26(f) scheduling conference set for December 19,
12 2022 at 10:30 a.m. and associated deadlines shall be the operative Rule
13 26(f) scheduling conference and schedule for *In re: Illuminate*
14 *Education Data Security Incident Litigation*.

15 6. All counsel who have previously been admitted *pro hac vice* in any of
16 the now consolidated cases shall be deemed admitted *pro hac vice* for
17 the consolidated *In re: Illuminate Education Data Security Incident*
18 *Litigation*.

19 IT IS SO STIPULATED.

20 Respectfully submitted,

21 **KAPLAN FOX & KILSHEIMER LLP**

22 DATED: October 17, 2022

23 By: /s/ Laurence D. King
Laurence D. King

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Interim Co-Lead Class Counsel

**KANTROWITZ, GOLDHAMER &
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DATED: October 17, 2022

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Melissa R. Emert

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Plaintiffs' Executive Committee

7 DATED: October 17, 2022

KIRKLAND & ELLIS LLP

8 By: /s/ Devin S. Anderson
9 Devin S. Anderson

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25 *Attorneys for Defendant Illuminate*
26 *Education, Inc.*

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, Laurence D. King, attest that concurrence in the filing of this document has been obtained from the other signatory.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 17th day of October, 2022, at Orinda, California.

/s/ Laurence D. King
Laurence D. King